

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

Gina M. Alongi

v.

Civil No. 09-cv-330-PB

Gerard D. Conway

**REPORT AND RECOMMENDATION**

Defendant has failed to appear and has been defaulted.

A damages hearing was held on February 9, 2010. Plaintiff appeared and proceeded by proffer and moving the admission of the affidavits of Gina M. Alongi and Mary T. Sullivan, Esq. I find that plaintiff is entitled to the following damages:

A.	Employee elective deferral amounts owed to the Fund	\$10,173.66
B.	Prejudgment interest on delinquent unpaid contributions	2,580.59
C.	Attorneys' Fees to date pursuant to § 1132(g)	1,620.00
D.	Costs	436.49
	<b>TOTAL</b>	<b>\$14,810.74</b>

I recommend that the following Order be entered:

It is hereby ORDERED, ADJUDGED AND DECREED that plaintiff recovers from defendant Gerard D. Conway the principal

amount of \$10,173.66, interest on the delinquent employee elective deferral contributions in the amount of \$2,580.59, costs of \$436.49, and attorney's fees to date in the amount of \$1,620.00, for a total judgment of \$14,810.74 with interest as provided by law.

Any objections to this report and recommendation must be filed within fourteen (14) days of receipt of this notice. Failure to file objections within the specified time waives the right to appeal the district court's order. See Unauthorized Practice of Law Comm. v. Gordon, 979 F.2d 11, 13-14 (1st Cir. 1992); United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986).

  
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James R. Muirhead  
United States Magistrate Judge

Date: February 9, 2010

cc: Mary T. Sullivan, Esq.